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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GENERAL EMPLOYEES TRUST FUND
and BOARD OF TRUSTEES OF GENERAL
EMPLOYEES TRUST FUND,

Petitioners,

v.

AMERICAN EMPIRE BUILDING
MAINTENANCE CORPORATION,
a dissolved corporation, and YUL HERMES,
an individual,

Respondents.

Case No. 14-cv-04054-NC

JOINT STATUS REPORT AND
REQUEST FOR CONTINUANCE ;
AND ORDER

Hearing: September 16, 2015

Time: 1:00 p.m.

Place: Telephonic

Petitioners General Employees Trust Fund and Board of Trustees of General Employees Trust Fund and Respondents American Empire Building Maintenance Corporation and Yul Hermes submit this Joint Status Report pursuant to the Court's Order of August 5, 2015. Dkt. No. 78.

By the Court's Order, the parties were to submit a joint status report with an update on discovery issues by September 14, 2015. *Id.* A status hearing was set for September 16, 2015. Fact discovery was extended to September 16, 2015. *Id.*

On September 9, 2015, the parties participated in mediation with a Court-appointed mediator. Prior to the mediation, pursuant to ADR Local Rule 6-10(a), Petitioners disclosed that the General Employees Trust Fund is governed by a Board of Trustees that has the final authority to settle. Petitioners further disclosed that Raymond Nann, the individual Trustee who would attend the mediation, would not have final authority to settle, but rather would have, to the greatest extent feasible, authority to recommend a settlement to the Board of Trustees.

At the mediation, Respondents signed a written settlement agreement. Mr. Nann signed the written settlement agreement and promised to recommend it to the Board of Trustees.

The Board of Trustees will consider the settlement at its next meeting, now scheduled for September 21, 2015.

If the Board of Trustees approves the settlement, any discovery issues will be moot.

Accordingly, Petitioners and Respondents jointly request that the discovery report be held in abeyance, that the telephonic status conference be continued from September 16, 2015 to a date after September 21, 2015 that is convenient for the Court, and that the deadline for fact discovery be continued until after the telephonic status conference.

WYLIE, McBRIDE, PLATTEN & RENNER

Dated: September 11, 2015

By: /s/ Diane Sidd-Champion

DIANE SIDD-CHAMPION

Attorney for Petitioners

COHEN AND JACOBSON, LLP

Dated: September 11, 2015

By: /s/ Lawrence A. Jacobson

LAWRENCE A. JACOBSON

Attorney for Respondents

ECF CERTIFICATION

I, Diane Sidd-Champion, am the ECF User whose user ID and password are being used to file this Joint Status Report and Request for Continuance. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Lawrence A. Jacobson has concurred in this filing.

WYLIE, McBRIDE, PLATTEN & RENNER

Dated: September 11, 2015

By: /s/ Diane Sidd-Champion
DIANE SIDD-CHAMPION
Attorney for Petitioners

ORDER

The request to continue is granted. Status hearing is continued to September 30, 2015 at 1:00 p.m. in Courtroom D, 15th Floor, San Francisco. Fact discovery deadline is extended to September 30, 2015. Parties to file dismissal of case or discovery status report by September 23, 2015.

Dated: September 11, 2015



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